



STATE BOARD OF EDUCATION
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EXHIBIT #VI.C.

To: Members of the State Board of Education
From: Peter Geiger, Construction Committee Chair
Date: September 9, 2015
Subject: Waiver of Chapter 61 Time Limitations

STATEMENT OF FACT

The State Board of Education's Chapter 61 Rules for Major Capital School Construction Projects was last revised in 2013. That revision included a significant change where contract documents for projects must now be 100% complete to be eligible for board consideration of Design and Funding Approval.

To meet this 100% requirement, projects will now be presented to the Board much later in their process and just prior to competitive bidding, which was the intention of the change. This adjustment in schedule has created a potential conflict with Section 6.2.F(3), Time Limitations, which requires projects to be presented to the State Board within 9 months after a favorable referendum.

Chapter 61 provides the State Board with waiver provision authority in Section 2 (5).

CONSTRUCTION COMMITTEE RECOMMENDATION

It is recommend that the State Board of Education waive the nine month time limitation imposed in Section 6.2.F(3) of Chapter 61, the State Board of Education Rules for Major Capital School Construction Projects on the submission of a project's Design and Funding Approval and pursuant to the Board's waiver authority under Section 2.5.D of such Rule, establish a 16-month time requirement for such submission for all of the following projects of the 2010-2011 Rating Cycle's Approved Projects List: Corinth Elementary, Sanford High School/CTE, Newport Elementary, Sanford Elementary, Fryeburg Elementary, Nokomis High School, Mt. Ararat High School, Lewiston Elementary, Monmouth Middle School, Caribou Elementary, Morse High School/CTE, and Portland Elementary.